IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4392 OF 2006

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri Prakash Naik i/by Shri Rajesh Desai for the Applicant.
Shri S.R.Shinde, A.P.P State.

CORAM : A. S. OKA, J.
DATE : DECEMBER 15, 2006.

P.C.:

1. Heard Shri Naik for the Applicant. Prayer in this Application under section 482 of the Code of Criminal Procedure, 1973 is for setting aside the order issuing process. In view of the decision of this court in the case of V.K.Jain and Ors. Vs. Pratap V. Padode & Anr. (2005(3) Maharashtra Law Journal Page 778) a remedy of filing a revision Application against the order issuing process before the appropriate Sessions Court was available to the Applicant. The revision Application filed by the Applicant before the Sessions Court has been rejected on the ground that the

revision Application was filed against an order passed on Application for recall of process and the Application for recall of process was itself not maintainable. In view of what is stated above, Application is not entertained and the same is disposed of. All contentions of merits are kept open.

JUDGE